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MINISTRY OF LAW

NOTIFICATION

*New Delhi 2, the 9th November, 1957*

S.R.O. 3595.—In exercise of the powers conferred by section 169 of the Representation of the People Act, 1951 (43 of 1951) the Central Government after consulting the Election Commission, hereby makes the following further amendments in the Representation of the People (Conduct of Elections and Election Petitions) Rule, 1956, namely:—

In the said Rules,—

(a) rule 41J shall be renumbered as rule 41K and before that rule as so re-numbered the following rule shall be inserted, namely:—

“41J. *Transfer of ballot papers from ballot boxes at notified polling stations in certain cases.*—(1) As soon as practicable after the close of the poll the presiding officer of a notified polling station shall, when so directed by the Election Commission, transfer in the presence of such of the candidates or their agents as may present, all the ballot papers contained in the ballot box or boxes used at that polling station, without examining or counting them and with due regard to the secrecy of the ballot, into a cloth bag or cloth lined cover after demonstrating to the candidates or their agents present that such bag or cover is empty.

(2) He shall after such transfer—

(a) record on such bag or cover—

- (i) the name of the constituency;
- (ii) the name of the polling station; and
- (iii) the date of the poll;

(b) allow the candidates or their agents who may be present to inspect each ballot box and demonstrate to them that it is empty.

(3) The bag or the cover shall then be sealed with the seals of the presiding officer and of any candidates or agents who may desire to affix their seals thereon.

(4) All the bags or covers after they have been sealed in accordance with sub-rule (3) shall be delivered to the returning officer at such place as he may direct.”

(b) in rule 41K as so renumbered the following proviso shall be added at the end, namely:—

“Provided that sub-rules (1) and (2) of rule 35 shall not apply in relation to a notified polling station where ballot papers have been transferred from ballot boxes to cloth bags or cloth-lined covers under rule 41J and references to ballot boxes in rules 37 and 38 in their application in relation to such polling stations shall be construed as including references to such bags or covers.”

(c) for rule 90 the following rule shall be substituted, namely:—

“90. *Application of certain rules to election at polling stations in council constituencies.*—Rules 17 and 18, sub-rule (1) of rule 20, rule 22, sub-rules (4) to (7) of rule 23, rules 24 to 27, rules 33 and 34, sub-rules, (3) and (4) of rule 35 and rules 36 to 41 shall apply in relation to election at a polling station in a council constituency as they apply in relation to election at a polling station in a parliamentary or assembly constituency and rule 41J shall apply in relation to election at a polling station in a council constituency as it applies in relation to election at a notified polling station:

Provided that—

- (a) the provisions of rule 26 relating to the inspection and the marking with indelible ink of the left forefinger of an elector shall not apply in relation to election at a polling station in a council constituency;
- (b) references to ballot boxes in rules 27 and 38 shall be construed as including references to cloth bags or cloth-lined covers; and
- (c) the reference to form 7A in clause (b) of sub-rule (1) of rule 20 shall be construed as a reference to form 7B.”

(d) in Schedule I, for Form 16A the following Form shall be substituted, namely:—

FORM 16 A

*Ballot paper*

(To be used at a notified polling station)

Front

[ See Rule 41 E ]

Serial No.	Name of candidate	Party affiliation	Symbol and Mark

\*\* [The candidates whose names are marked with / are members of the Scheduled Castes and the candidates whose names are marked with // are members of the Scheduled Tribes.]

\* Appropriate particulars of the election to be inserted here.

\*\* Omit the words marked [ ] as necessary.

[No. F. 7 (22)/57-Elections.]

K. V. K. SUNDARAM, Secy.

